

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RABBI ABRAHAM WINEBERG

Plaintiff,

v.

MOHAMMED KHAN

Defendant.

25 CV 2184

Jury Demand

COMPLAINT

Now Comes RABBI ABRAHAM WINEBERG, by and through his attorney, JONATHAN LUBIN, and Complains of MOHAMMED KHAN, stating:

1. This is a civil action brought pursuant to 42 U.S.C. § 1983, the Fourth Amendment and the Fourteenth Amendment to the Constitution, as well as the common law of the State of Illinois seeking damages for malicious acts that damaged the property of Plaintiff, Rabbi Abraham Wineberg.

Jurisdiction and Venue

2. Plaintiff presently resides outside of the Northern District of Illinois, in the State of Michigan.

3. Defendant Mohammed Khan at all times resided in the City of Chicago, which is in the Northern District of Illinois. At all times, he was employed as a police officer for the City of Chicago.

4. This Court has jurisdiction over the parties pursuant to 28 U.S.C. § 1331 because the Complaint seeks damages under federal statute and the US Constitution.

5. This Court has jurisdiction over state law claims under 28 U.S.C. 1367 § 1367.

6. Venue is proper in this district pursuant to 28 U.S.C. § 1391 because the relevant events took place in the Northern District of Illinois.

Facts Common to All Counts

7. Rabbi Wineberg arrived in Chicago on March 1, 2024.
8. On Saturday night, he used his car and parked it across the street from one of his grandchildren.
9. Given that it was dark outside, and that he was unfamiliar with the neighborhood, he accidentally parked in a handicapped spot.
10. On information and belief, the handicapped parking spot was typically used by a family member of Defendant Khan.
11. In the early morning of March 3, 2024, Defendant Khan saw the vehicle.
12. He walked around the vehicle, and conspicuously peered into the back window, where identifiably Jewish articles were in full view.
13. Khan then wrote out a City of Chicago Violation Notice.
14. Thereafter, he violently kicked the driver's side mirror until it fell off of the vehicle.
15. Several minutes later, he returned to the vehicle and violently kicked the passenger side mirror until it, too, fell off the vehicle.
16. On information and belief, Khan used a cutting tool to remove the cord attaching the passenger side mirror from the vehicle.
17. At some point later, Khan had the vehicle towed.
18. The following day, Wineberg and his grandchild asked Defendant Khan about the mirrors which had been kicked until they broke off of the vehicle. He responded that he did not know anything about them, but offered that he was a police officer and that he would never do such a thing.
19. This prompted the aforementioned grandchild to review security footage, showing that Khan was the one who violently kicked the mirrors after looking into the back window and seeing the identifiably Jewish articles.
20. As Wineberg was out of town, and as he was only in Chicago to vacation and visit family, the destruction of his mirrors caused him a great amount of stress and emotional distress. He lost

out on time to see his family, and had to return to his home in Michigan in a car that was unsafe to drive.

21. That emotional distress was compounded by the realization that Khan had evidently acted in such a fashion after noticing that the owner of the car was likely Jewish.

22. Khan was arrested for the destruction of Plaintiff's property, and plead guilty to the charges.

23. On information and belief, he is still a Chicago police officer.

**Count I – 42 U.S.C. § 1983
Fifth Amendment**

WHEREFORE, Plaintiff requests that this Honorable Court find Defendants liable under 42 U.S.C. § 1983, and Order Defendants to pay Plaintiff damages including pain and suffering, punitive damages, and reasonable attorneys' fees.

Count II – Trespass to Chattel/Conversion

WHEREFORE, Plaintiff requests that this Honorable Court find Defendants liable and Order Defendants to pay Plaintiff damages including pain and suffering and punitive damages.

Count III – Intentional Infliction of Emotional Distress

WHEREFORE, Plaintiff requests that this Honorable Court find Defendants liable and Order Defendants to pay Plaintiff damages including pain and suffering and punitive damages.

Respectfully Submitted,

s/Jonathan Lubin

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Plaintiff requests trial by jury.